

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 18780 PERMIT 12104 LICENSE 6940

ORDER DIRECTING THE ISSUANCE OF SEPARATE
LICENSES AND REVOCATION OF THE
ORIGINAL LICENSE

WHEREAS:

1. License 6940 was issued to Evva M. Herron and Emma Rhae Herron on July 18, 1963 pursuant to Application 18780 and was filed with the County Recorder of Butte County on July 19, 1963 Volume 1259, Page 18.
2. A request from two of the three parties has been received and filed with the State Water Resources Control Board for the division of the license and said Board has determined that good cause for such division has been shown under Sections 833 and 836 of the California Code of Regulations.
3. The Board has determined that the requested license division does not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. License 6940 be replaced by Licenses 6940A, 6940B and 6940C.
2. License 6940 is hereby revoked upon the issuance of Licenses 6940A, 6940B, and 6940C.
3. Separate licenses shall be issued as follows:

LICENSE 6940A

Owner: Rosemarie Busbee
Source: 2 Unnamed Springs tributary to Little Butte Creek thence
Butte Creek in Butte County.
Amount: 960 gallons per day
Season: January 1 to December 31
Purpose of Use: Domestic
Points of Diversion: 1. North 400 feet and East 1,900 feet from W $\frac{1}{4}$ corner of
Section 30, T22N, R3E, MDB&M, being within SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of
said Section 30 and
2. North 350 feet and East 2,050 feet from W $\frac{1}{4}$ corner of
Section 30, T22N, R3E, MDB&M, being within SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of
said Section 30.
Place of Use: Domestic use within SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 30, T22N, R3E,
MDB&M, as shown on map on file with State Water Resources
Control Board.

3

LICENSE 6940B

Owner: Carolyn Stammer Jones
Source: 2 Unnamed Springs tributary to Little Butte Creek thence
Butte Creek in Butte County
Amount: 960 gallons per day
Season: January 1 to December 31
Purpose of Use: Domestic
Points of Diversion: 1. North 400 feet and East 1,900 feet from W $\frac{1}{4}$ corner of
Section 30, T22N, R3E, MDB&M, being within the SE $\frac{1}{4}$ of NW $\frac{1}{4}$
of said Section 30 and
2. North 350 feet and East 2,050 feet from W $\frac{1}{4}$ corner of
Section 30, T22N, R3E, MDB&M, being within SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of
said Section 30.
Place of Use: Domestic use within SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 30, T22N, R3E,
MDB&M, as shown on map on file with State Water Resources
Control Board.

LICENSE 6940C

Owner: Martin Van Leuven
Source: 2 Unnamed Springs tributary to Little Butte Creek thence
Butte Creek in Butte County
Amount: 960 gallons per day
Season: January 1 to December 31
Purpose of Use: Domestic
Points of Diversion: 1. North 400 feet and East 1,900 feet from W $\frac{1}{4}$ corner of
Section 30, T22N, R3E, MDB&M, being within the SE $\frac{1}{4}$ of NW $\frac{1}{4}$
of said Section 30 and
2. North 350 feet and East 2,050 feet from W $\frac{1}{4}$ corner of
Section 30, T22N, R3E, MDB&M, being within SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of
said Section 30.
Place of Use: Domestic use within SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 30, T22N, R3E,
MDB&M, as shown on map on file with State Water Resources
Control Board.

4. Licenses 6940A, 6940B and 6940C contain all other terms and conditions presently in License 6940 or as updated to reflect Board policy.

Dated: FEBRUARY 02 1990


Walter G. Pettit, Chief
Division of Water Rights



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

Notice of Assignment (Over)

APPLICATION 18780

PERMIT 12104

LICENSE 6940

Evva M. Herron and Emma Rhae Herron
Honeyrun Road
Chico, California

THIS IS TO CERTIFY, That

have made proof as of June 27, 1962,
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
2 unnamed springs in Butte County

tributary to Little Butte Creek thence Butte Creek thence Butte Slough thence
Sacramento River

for the purpose of domestic use
under Permit 12104 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from June 9, 1959,
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed two thousand eight hundred
eighty (2880) gallons per day to be diverted from January 1 to December 31 of
each year as follows:

Unnamed spring (1) 1440 gallons per day

Unnamed spring (2) 1440 gallons per day

The points of diversion of such water are located :

- (1) North four hundred (400) feet and east one thousand nine hundred (1900) feet
from $W\frac{1}{4}$ corner of Section 30, T22N, R3E, MDB&M, being within $SE\frac{1}{4}$ of $NW\frac{1}{4}$ of
said Section 30.
- (2) North three hundred fifty (350) feet and east two thousand fifty (2050) feet
from $W\frac{1}{4}$ corner of Section 30, T22N, R3E, MDB&M, being within $SE\frac{1}{4}$ of $NW\frac{1}{4}$ of
said Section 30.

A description of the lands or the place where such water is put to beneficial use is as follows:

Within $SE\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 30, T22N, R3E, MDB&M.

Rights under this license are and shall be subject to existing rights determined
by Butte Creek Decree No. 18917, Superior Court, Butte County, and such other
rights as may presently exist on the stream insofar as said existing and
adjudicated rights are maintained.

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

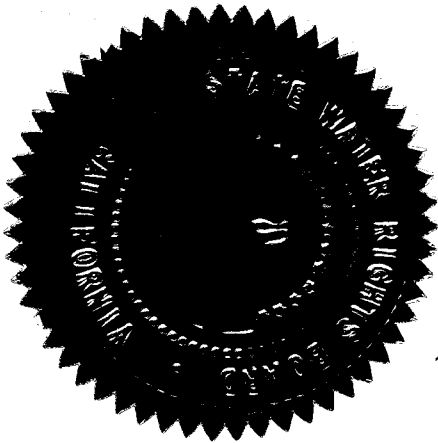
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JUL 1 8 1963



L. K. Hill
L. K. Hill
Executive Officer

11/1/60

RECEIVED NOTICE OF ASSIGNMENT TO of Est of Anna L.
Herron to Emma Rhae + Emma M. Herron

11/17/65

RECEIVED NOTICE OF ASSIGNMENT TO of Est of Emma Rhae
Herron to Emma M. Herron

2-12-72

RECEIVED NOTICE OF ASSIGNMENT TO Edwin Bushee

1-3-80 asgd to Rosemariek. Bushee

LICENSE 6940

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Evva M. and Emma Rhae
Herron

DATED JUL 1 8 1963

47689 9-61 3M ① SPO

APR 17 '63 B.R.